

**BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**

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E-mail: geology@dca.ca.govWebsite: www.geology.ca.gov**MINUTES OF THE JOINT MEETING OF THE
BOARD FOR GEOLOGISTS AND GEOPHYSICISTS
and the EXAMINATION COMMITTEE****April 29, 2005**2535 Capitol Oaks Drive
Sacramento, CA 95833-2926**1. CALL MEETING TO ORDER**

Craig Copelan, President, called the meeting to order at 9:00 a.m.

2. ROLL CALL TO ESTABLISH QUORUMCraig Copelan, President
Robert A. Matthews, Ph.D., Vice President
William E. Black, Board Member
Jeffrey Schmidt, Board MemberDr. Thomas Kelty, Examination Committee
Tom Spittler, Examination Committee

Others in attendance:

Paul Sweeney, Executive Officer
George Dunfield, Enforcement Manager
DeLesa Swanigan, Office Manager
Gary Duke, Legal Counsel, Department of Consumer Affairs (DCA)
Tracy Montez, DCA Office of Examination Resources
Charles Nestle
Matthew Hawley
Marcia Kiese
Laura Cathcart-Dodge, Examination Committee (by conference call)**3. PUBLIC COMMENT ON NON-AGENDA ITEMS**

There was no Public Comment on non-Agenda items.

4. DISCUSSION OF POTENTIAL LEGISLATION TO MAINTAIN, MODIFY OR ELIMINATE THE CALIFORNIA-SPECIFIC PORTION OF THE PROFESSIONAL GEOLOGIST LICENSING EXAMINATION (COPELAN) (ACTION)

Mr. Sweeney read an opening statement that framed the issue under consideration. He also distributed a newsletter from Oregon that described the State of Oregon's Geology Licensing Board's decision in March, 2005 to eliminate their state-specific examination. This leaves California as the only state in the country with a state-specific examination for geologic licensure.

Mr. Hawley, representing the Southern California Association of Engineering Geologists as its chair, suggested that tradition is a large part of his organization's desire to keep the CSE. He discussed the results of a survey that he sent to his constituency (approximately 60 people responded – 90% of which had never taken a licensing examination at all). He felt that there hasn't been enough marketing to the licensing community for eliminating the CSE. He stated that many geologists felt that the examination was a necessary rite-of-passage towards licensure.

Mr. Sweeney pointed out the statistical inadequacy of the AEG Southern California survey.

Mr. Hawley suggested that the Board send out a survey.

Mr. Nestle stated that he thought that Mr. Sweeney's arguments were compelling. He stated that the California Council of Geoscience Organization's (CCGO) official position was to support Mr. Sweeney's second recommendation (as described in his Value Appraisal) to contract with the Department of Consumer Affairs' Office of Examination Resources (OER) to conduct a working group of volunteers to develop a legally defensible CSE.

Mr. Nestle noted that in his experience as a regulator for a large California County he was frequently questioned about the specific nature of California's geologic issues, and so was concerned that the Board was not receiving enforcement complaints of this nature.

Board Member Dr. Matthews replied that Mr. Nestle should send such deficiencies to the Board's attention.

Dr. Tracy Montez of OER distributed and then discussed her memo to Mr. Sweeney, dated April 28, 2005. In part, it stated: "A focus group consisting of subject matter experts (i.e., licensees) and facilitated by a test development expert should be convened to evaluate the current scope of practice in relation to the 2000 OA (occupation analysis), entry-level standards for competent and safe practice, and consumer protection."

Dr. Montez discussed some of the technical, legal and statistical inadequacies of the CSE and recommended the facilitation of a focus group to address the CSE.

Mr. Spittler stated in response to Mr. Hawley's statements that hazing used to be a well-established tradition at fraternities' initiation ceremonies, but that was no longer acceptable. Tradition is a poor defense for retaining the CSE.

Dr. Thomas Kelty stated that, as a member of the Examination Committee, he has come to the conclusion that the CSE needs to be eliminated.

Marcia Kiese stated that she supported the recommendation of Dr. Montez. She indicated that most of the individuals within the Sacramento section of the Association of Engineering Geologists indicated to her that 'nobody found it useful' for the purposes of protecting the public.

Examination Committee Member Laura Cathcart-Dodge described her feelings about the seriousness of this issue and its impact on the health and safety of the public.

Board Member Dr. Matthews indicated that he was moving towards Mr. Spittler's point of view.

Board Enforcement Manager George Dunfield stated that there was absolutely no correlation between the CSE and any potential harm to the public. He confirmed that of all of the hundreds of cases and questions that he has been involved with since starting with the Board three years ago that the CSE had no impact on protecting the public from the negligent or incompetent practice of geology.

Board Member Bill Black indicated that he was concerned about the CSE's continuing to be a barrier towards true cooperative licensure with other states.

CLOSED SESSION

[Pursuant to Government Code § 11126(c) (1) of the Government Code]
The Board then went into closed session to discuss Agenda Items #5 and #6.

- 5. REVIEW OF THE PROFESSIONAL GEOLOGIST CALIFORNIA-SPECIFIC EXAMINATION AND ITEM BANK (SWEENEY) (POSSIBLE ACTION)**
- 6. POSSIBLE ITEM WRITING, IF NECESSARY, FOR PROFESSIONAL GEOLOGIST CALIFORNIA-SPECIFIC EXAMINATION BANK (SWEENEY) (POSSIBLE ACTION)**
- 7. REPORT ON RESULTS OF CLOSED SESSION (SWEENEY) (POSSIBLE ACTION)**

The Board reviewed the CSE that was administered on March 4, 2005 and the entire examination bank of questions available for the CSE. They made a recommendation as detailed in Agenda Number 8, below.

- 8. FINALIZE RECOMMENDATION TO THE BOARD REGARDING THE CALIFORNIA SPECIFIC EXAMINATION (COPELAN) (POSSIBLE ACTION)**

The Board will make a recommendation to the full Board at its May 20, 2005 that a focus group be selected pursuant to Office of Examination Resources Chief Tracy Montez' recommendation to evaluate all issues relative to the California-specific examination.

Mr. Hawley indicated that he thought that this was a good first step towards resolving the issue.

Mr. Copelan adjourned the meeting at approximately 12:00 p.m.

CRAIG A. COPELAN, P.E., BOARD PRESIDENT

PAUL SWEENEY, BOARD EXECUTIVE OFFICER

Date Approved: May 20, 2005